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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/879,242 | 06/07/2001 | Andreas Wenzel | GR 98 P 5873 P | 4980 |

7590

10/08/2004

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 Hollywood, FL 33022-2480

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| EXAMINER |
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KNOLL, CLIFFORD H

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| ART UNIT | PAPER NUMBER |
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2112

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/879,242

Applicant(s)

WENZEL, ANDREAS

Examiner

Clifford H Knoll

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 7, 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

This Office Action is responsive to communication filed 7/30/2004. Currently claims 1, 4, 7, and 13 are pending. Claims 2-3, 5-6, 8-12, and 14-16 have been cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 7, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Munguia (US 5845096) in view of Jeddeloh (US 6473817).

Regarding claims 1 and 7, Munguia discloses a multimaster bus system and its method comprising a bus, a plurality of units and a default master (Figure 1), the default-master stipulation being based on criteria selected from the group consisting of when, how often, and how long the units are used on the bus (col.2, lines 38-44). Munguia does not expressly mention that the criteria is variable; however, this feature is disclosed by Jeddeloh. Jeddeloh discloses criteria for assigning priority in a bus access scheme that is variable (e.g., col. 5, lines 31-38). It would have been obvious to

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combine Jeddelloh with Munguia because Jeddelloh teaches a more flexible approach to priority allocation by introducing a flexible policy, while Munguia readily acknowledges that additional criteria may be used in his system (col.4, lines 54-58). Therefore, it would have been obvious one of ordinary skill in the art to combine Jeddelloh with Munguia to obtain the claimed invention.

Regarding claims 4 and 13, Munguia discloses a multimaster bus system and method comprising a bus, a plurality of units and a default master (Figure 1), the default master selected from the group consisting of particular units with weighting based on performance criteria (col.4, lines 54-58), and the stipulation based on expected and actual analysis of the program cycle of the unit (e.g., col. 4, lines 58-62). While Munguia does not expressly disclose the need to access the bus frequently or rapidly, these limitations are disclosed by Jeddelloh. Jeddelloh discloses weighting criteria that include a particular unit that is expected to need to access the bus frequently, and a particular unit that is expected to need to access the bus rapidly (col.4, lines 24-30).

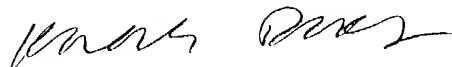
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clifford H Knoll whose telephone number is 703-305-8656. The examiner can normally be reached on M-F 0630-1500.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



chk

Khanh Dang
Primary Examiner